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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/649,859

08/28/2003

Dong-Woo Shin

P24067

6377

7055

7590

06/28/2005

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EXAMINER

DUNN, DAVID R

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/649,859	SHIN, DONG-WOO	
	<b>Examiner</b>	<b>Art Unit</b>	
	David Dunn	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/04/03</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Information Disclosure Statement*

2. The information disclosure statement filed December 4, 2003 is acknowledged. See enclosed IDS form.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3, 5, and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "the elastic member". There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites "an upper bracket is formed on both ends of the shock absorber". It is unclear how a single bracket is "formed on both ends of the shock absorber." It appears that each end of the shock absorber has a bracket, not one bracket being on both ends.

*Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (5,505,479).

Lee discloses an interconnected suspension for a vehicle having right and left control arms, the suspension comprising: a buffer (16) interconnected to the right and left control arms (11a, 11b); and a mounting bracket (12a, 12b) for the buffer, being disposed at tip end portions of the control arms. The buffer is an elastic member (see column 3, lines 31-34).

7. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Dangauthier (3,292,945).

Dangauthier discloses an interconnected suspension for a vehicle having right and left control arms, the suspension comprising: a buffer (10c; see Figure 4; see also 10B in Figure 3) interconnected to the right and left control arms (3); and a mounting bracket (top end of arm 3) for the buffer, being disposed at tip end portions of the control arms. The buffer is a shock absorber (see column 3, lines 53-75). The shock absorber has a bracket (at each end of 10C) to which is attached the mounting bracket.

8. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Duphily et al. (4,470,611).

Duphily et al. discloses an interconnected suspension for a vehicle having right and left control arms, the suspension comprising: a buffer (12; see Figure 1) interconnected to the right and left control arms (6); and a mounting bracket (unnumbered element between 6 and 10) for the buffer, being disposed at tip end portions of the control arms. The buffer is a shock absorber (12). The shock absorber has a bracket (at each end of 12) to which is attached the mounting bracket.

9. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Karpik (6,357,543).

Karpik discloses an interconnected suspension for a vehicle having right and left control arms, the suspension comprising: a buffer (84a; see Figure 5) interconnected to the right and left control arms (32a, 32b); and a mounting bracket (88a, 88b) for the buffer, being disposed at tip end portions of the control arms. The buffer is a shock absorber (84). The shock absorber has a bracket (at each end of 84; see also 112 in Figure 4) to which is attached the mounting bracket.

### *Claim Rejections - 35 USC § 103*

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Banse (5,108,126).

Lee is discussed above, but fails to show a plurality of holes to adjust the buffer.

Banse teaches a wheel suspension assembly with a plurality of locking holes (25) used to adjust the height of the buffer as attached to the control arm.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lee to provide a plurality of holes in the mounting bracket to adjust the height of the buffer to adjust for various suspension arrangements.

12. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dangauthier in view of Banse (5,108,126).

Dangauthier is discussed above, but fails to show a plurality of holes to adjust the buffer.

Banse teaches a wheel suspension assembly with a plurality of locking holes (25) used to adjust the height of the buffer as attached to the control arm.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dangauthier to provide a plurality of holes in the mounting bracket to adjust the height of the buffer to adjust for various suspension arrangements.

13. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duphily et al. in view of Banse (5,108,126).

Duphily et al. is discussed above, but fails to show a plurality of holes to adjust the buffer.

Banse teaches a wheel suspension assembly with a plurality of locking holes (25) used to adjust the height of the buffer as attached to the control arm.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Duphily et al. to provide a plurality of holes in the mounting bracket to adjust the height of the buffer to adjust for various suspension arrangements.

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14. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karpik in view of Banse (5,108,126).

Karpik is discussed above, but fails to show a plurality of holes to adjust the buffer.

Banse teaches a wheel suspension assembly with a plurality of locking holes (25) used to adjust the height of the buffer as attached to the control arm.

It would have been Karpik to provide a plurality of holes in the mounting bracket to adjust the height of the buffer to adjust for various suspension arrangements.

### *Conclusion*

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Grosseau shows a suspension of interest. Heyring et al. show a suspension system of interest.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'David Dunn', with a long horizontal stroke extending to the right.

David Dunn  
Primary Examiner  
Art Unit 3616